

Remarks

Reexamination and reconsideration of this application, as amended, is requested. Claims 1-13 remain in the application. Claims 14-21 have been previously cancelled.

Response to the 35 U.S.C. §102(b) Rejection

The Office Action rejects claims 1-13 under 35 U.S.C. §102(b/e) or §103(a) as being anticipated by Berney (US 5,703,395) or Lin (US 5,239,198). Applicants respectfully traverse this rejection in view of the remarks that follow. Applicants would also like to point out that the rejection under 35 USC §103(a) relies upon a single reference and is believed to be addressed in response to the rejection under 35 USC §102(b/e).

The Office Action also objected to claim 1. However, the Office Action did not state the basis of the rejection. In particular, Applicants are unclear as to whether the objection is based on an alleged violation of 35 USC, the MPEP, etc. Nonetheless, Applicants have provided clarifying comments which hopefully address both the rejection and objection. If Applicants have not addressed the Examiner's concerns, clarification is respectfully requested.

Applicants being with the rejection of claim 1 with respect to Berney.

As is well-established, in order to successfully assert a *prima facie* case of anticipation, the Office Action must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even

one element or limitation is missing from the cited document, the Office Action has not succeeded in making a prima facie case.

Applicants begin with claim 1. Claim 1 specifically recites:

“1. A non-volatile memory package comprising:
a substrate having a first surface and a second surface;
an integrated circuit die including a memory array mounted to the first surface of the substrate; and
a passive component mounted to the second surface of the substrate.”

It is respectfully asserted that, as one example, Berney fails to meet either expressly or inherently the limitation that a passive component is mounted to a second surface of the substrate.

Although the scope of Applicants' invention is not limited in this respect, an example of a device is shown in Applicants' FIG. 1 which includes, among other things, a substrate 28. An integrated circuit die 29 may be mounted to a top (e.g. first surface) of substrate 28. In addition, a passive component (e.g. a capacitor) 60 may be mounted to a bottom (e.g. second) surface of substrate 28. It should be understood that the use of first or second, top or bottom are simply exemplary and the scope of the present invention is not limited to particular arrangements.

Applicants would like to kindly point out that Berney states at column 5, lines 35-41, **that elements 2 and 20 (shown in figure 2) are both integrated memory circuits.** In addition, Berney goes on to state at column 5, lines 58-60, that both of the integrated memory circuits 2 and 20 are connected to the peripheral contacts 700 and

7000 which are the power supply connections which thus go to both integrated memory circuits 2 and 20.

In contrast, Applicants claim 1 recites an integrated circuit on one surface of a substrate and a passive component on another surface. Although Applicant's invention is not limited in this respect, Applicant's specification gave some examples of passive components on page 5, lines 2-7, which include capacitors, inductors, resistive elements, etc. As explained at page 6, lines 11-21, the passive components may be used to provide at least a portion of the voltage regulation circuitry used to program and/or erase the memory array.

Accordingly, Applicants respectfully submit that Berney cannot anticipate Applicants claim 1 since it does not, at a minimum, teach or suggest passive components on a second surface. Since claims 2-14 depend from claim 1, they are not anticipated for at least the same reason.

The Office Action also rejects claim 1 based on Lin. The Office Action did not explain, and Applicants are unable to find, where Lin teaches or even suggests non-volatile memory devices or memory arrays. Accordingly, Applicants believe Lin cannot anticipate or make Applicants' claim 1 obvious for at least this reason. Thus, Applicants believe the claim 1 is neither anticipated nor made obvious in view of Lin or Berney, and that the dependent claims are allowable for at least the same reason.

Conclusion

The foregoing is submitted as a full and complete response to the Office Action mailed July 11, 2003, and it is submitted that claims 1-13 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of claims 1-13 is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666.

If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 554-9732 is respectfully solicited.

Respectfully submitted,

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